
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

ROSE M. V.,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION, AND
REMANDING CASE**

Case No. 2:17-cv-01142

Chief Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

The undersigned referred this case to Magistrate Judge Evelyn J. Furse pursuant to 28 U.S.C. § 636(b)(1)(B).¹ On February 4, 2019, Judge Furse issued a Report and Recommendation.² Judge Furse recommends remanding the case because the ALJ improperly evaluated the opinions of Plaintiff's treating physician.³ Neither party objects to Judge Furse's Report and Recommendation, so the court reviews the Report and Recommendation for clear error.⁴

Having carefully considered Judge Furse's Report and Recommendation, the court finds no clear error. The court therefore ADOPTS Judge Furse's Report and Recommendation and REMANDS this case so the ALJ can properly evaluate the opinions of Plaintiff's treating physician.

¹ Dkt. 14.

² Dkt. 23.

³ *Id.* at 1–2, 13–20.

⁴ See Fed. R. Civ. P. 72(b) advisory committee's note (1983) (citing *Campbell v. U.S. Dist. Court for N. Dist. of Cal.*, 501 F.2d 196, 206 (9th Cir. 1974), cert. denied, 419 U.S. 879).

SO ORDERED this 20th day of March, 2019.

BY THE COURT:



ROBERT J. SHELBY
United States Chief District Judge